

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

LANDS – Hyderabad District – Shaikpet Village and Mandal – Representation of Sri K.V.Ramakrishna Sarma and Smt. K.V. Annapurna for issue of "NOC" / Regularization of land admeasuring 9,679 Square Yards in alleged Sy. No. 129/98 of Shaikpet Village and Mandal, Hyderabad District – Rejection – Orders – Issued.

Revenue (Assignments.III) Department

G.O. Ms. No. 928

Dated 01.9.2009.

Read the following :-

- (1) Representation of Sri K.V.Ramakrishna Sarma and Smt. K.V.Annapurna.
- (2) Judgment dated 22.12.2008 in W.P. No. 1855 of 2008 filed by Sri K.V.Ramakrishna Sarma and Smt. K.V.Annapurna.
- (3) From the District Collector Hyderabad Letter No. LO1/2957/2008, dated 19.2.2009 addressed to Government.
- (4) From the Chief Commissioner of Land Administration Letter No. BB2/134/2009, dated 12.5.2009.

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ORDER :-

In the reference 1st read above Sri K.V.Ramakrishna Sarma and Smt. K.V.Annapurna represented to Government that their brother late K.V.Surender Kumar Sarma had purchased the land measuring an extent of Ac.2.00 from Sri Pochaiah S/o Sri Mallaiah in Sy. No. 129/98 (Old Sy.No.403) of Shaikpet Village in the year 1968 and since then they are in possession of the land till now. They have requested to issue instructions to the Collector Hyderabad to issue "NOC" for taking up construction and also requested the Government to issue orders for regularization of the land in case if it is found as Government land.

2. The matter was referred to the District Collector – Hyderabad for sending a detailed report.

3. The Collector – Hyderabad in his letter No. I1/2163/2006, dated 18.9.2006 has reported that as stated by MRO Shaikpet the applicants have not furnished documents relating to Electricity Connection, Construction Permission, Receipts for payments of Property Tax, Water Supply Connection, House-hold Supply Card, Telephone Connection and Registered documents with the mention of residential or commercial structure. The applicants produced the Sale Deed executed by Sri Pochaiah in their favour.

4. In view of the above factual position the Collector, Hyderabad has stated that the case of the applicants does not come under the purview of G.O. Ms. No. 508, Revenue Department, dated 20.10.1995 and G.O. Ms. No. 1601, REvene (Assn.I) Department, dated 29.8.2005 and G.O. Ms. No. 674, Revenue Department, dated 8.6.2006.

5. Government after careful examination of the matter have rejected the request of Sri K.V.Ramakrishna Sarma and Smt. K.V.Annapurna for issue of "NOC" as well as Regularization of the land under reference vide their Memo. No. 9895/Assn.III(1)/2006 dated 19.9.2007.

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6. Aggrieved by the said Memo. No. 9895/Assn.III(1)/2006 dated 19.9.2007 Sri K.V.Ramakrishna Sarma and Smt. K.V.Annapurna filed a W.P. No. 1855/2008 which has been disposed on 22.12.2008 as here under.

" the impugned order dated 19.9.2007 is hereby set aside and the Writ Petition is disposed of with a direction to the respondents to refer the petitioners' matter also to the Cabinet Sub-Committee for consideration of their claim alongwith other similarly situated persons"

7. The matter was referred to the District Collector for sending a detailed report.

8. The District Collector in his letter 3rd read above inter-alia has reported that the land applied for regularization in respect of Sy. No. 129/98, which is a non-existing Survey Number and it is not correlated to any Town Survey Number and also there are multiple claims which were placed before the District Level Committee on 19.01.2009 and the Committee has rejected the claims. The District Collector has also submitted that objections also received in respect of land in Sy. No. 129/98 one from Sri M.V.Muralidhar Rao and M.Vanaja claiming on unregistered development agreement for an extent of each Ac.2.00 in Sy. No. 129/98.

9. The District Collector Hyderabad also submitted that on ground the land claimed by Sri K.V.Ramakrishna Sarma and Smt. K.V.Annapurna as allegedly in Sy. No. 129/98 actually falls in the land being claimed by Smt. G.Padmavathi which is pending for adjudication before the Hon'ble High vide W.P. No. 25660/2008. The other applications of Smt. K.Saraswathi and others who had applied for Transfer of Rights under G.O. Ms. No 166, Revenue (Assn.POT) Department, dated 16.2.2008 including Sri K.V.Ramakrishna Sarma and Smt. K.V.Annapurna were placed before the District Level Committee held on 19.1.2009 and the Committee rejected the same.

10. In terms of Judgment dated 22.12.2008 in W.P. No. 1855 of 2008 of the Hon'ble High Court, the matter was placed the matter on 24.7.2009 before the Group of Ministers constituted in G.O. Rt. No. 4724, GAD dated 16.8.2004 read with G.O. Rt. No. 6294 GAD dated 5.11.2004. The Group of Ministers examined the request of the applicant basing on the report of the Collector Hyderabad and concluded that the request of the applicant does not deserve consideration for issue of NOC / Regularization specifically on the following grounds.

- (i) The applicants are not in physical possession of the land admeasuring 9,679 Square Yards in alleged Sy. No. 129/98 and the said land is the subject matter of W.P. No. 25660 of 2008 in which the Hon'ble High Court ordered statusquo.
- (ii) There is no such Sy. No. 129/98 existing in Shaikpet Village as per the revenue records as well as in Survey Records.
- (iii) The documents produced by the applicant have been proved as bogus by the Government Examiner for Questioned Documents.
- (iv) The land in question is claimed by various individuals.
- (v) The Government land requested for regularization is located in the prime area and required for public purpose.
- (vi) The applicants are not in physical possession of the land and failed to produce documents as required under the G.O. Ms. No. 166, Revenue (Assn.POT) Department, dated 16.2.2008.

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11. The Group of Ministers accordingly recommended for rejection of the request of the applicants in respect of the land in question for issue of NOC as well as regularization.

12. Government have examined the recommendations of the Group of Ministers and after careful examination approved the recommendations of the Group of Ministers for rejection of the request of the applicants and reject the request of the applicants for issue of "NOC" / Regularization in respect of land admeasuring 9,679 Square Yards in alleged Sy. No. 129/98 of Shaikpet Village and Mandal, Hyderabad District.

13. The District Collector – Hyderabad is, requested to take action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

RAJESHWAR TIWARI
SECRETARY TO GOVERNMENT

To
The Chief Commissioner of Land Administration,
A.P., Hyderabad.
The Collector – Hyderabad.
The Applicants
(thro' Collector – Hyderabad)
SF / SC

/ Forwarded :: By Order /

SECTION OFFICER